



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
HB0766

Introduced 2/1/2005, by Rep. Randall M. Hultgren

SYNOPSIS AS INTRODUCED:

740 ILCS 115/5

from Ch. 70, par. 55

Amends the Parental Responsibility Law. Provides that, where a wilful or malicious act by the minor causes damage to real or personal property owned or leased by a local public entity, no recovery under the Act may exceed \$100,000 actual damages for each local public entity that owns or leases the property. Defines "local public entity". Effective immediately.

LRB094 05505 LCB 35552 b

1 AN ACT concerning civil law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Parental Responsibility Law is amended by
5 changing Section 5 as follows:

6 (740 ILCS 115/5) (from Ch. 70, par. 55)

7 Sec. 5. Limitation on damages; damages allowable.

8 (a) Except as provided in subsection (b) of this Section,
9 no ~~no~~ recovery under this Act may exceed \$2,500 actual damages
10 for each person, or legal entity as provided in Section 4 of
11 this Act, for each occurrence of such wilful or malicious acts
12 by the minor causing injury, in addition to taxable court costs
13 and attorney's fees. In determining the damages to be allowed
14 in an action under this Act for personal injury, only medical,
15 dental and hospital expenses and expenses for treatment by
16 Christian Science practitioners and nursing care appropriate
17 thereto may be considered.

18 (b) Where a wilful or malicious act by the minor causes
19 damage to real or personal property owned or leased by a local
20 public entity, no recovery under this Act may exceed \$100,000
21 actual damages for each local public entity that owns or leases
22 the property.

23 (c) For purposes of this Section, "local public entity"
24 shall have the same meaning as that term is defined in Section
25 1-206 of the Local Governmental and Governmental Employees Tort
26 Immunity Act.

27 (d) This amendatory Act of the 94th General Assembly
28 applies to causes of action accruing on or after its effective
29 date.

30 (Source: P.A. 90-311, eff. 1-1-98.)

31 Section 99. Effective date. This Act takes effect upon
32 becoming law.